

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

BASF AGRO B.V., ARNHEM (NL),
WÄDENSWIL BRANCH,
BAYER S.A.S., and MERIAL LIMITED

Plaintiffs,

v.

CHEMINOVA, INC.,

Defendant.

Case No. 1:10-cv-274-WO-WWD

JOINT MOTION TO AMEND SCHEDULING ORDER

Pursuant to Federal Rule of Civil Procedure 16, plaintiffs BASF Agro B.V., Arnhem (NL), Wädenswil Branch (“BASF”), Bayer S.A.S. (“Bayer”) and Merial Limited (“Merial”) (collectively, “Plaintiffs”) and defendant Cheminova, Inc. (together with Plaintiffs, the “Parties”) hereby move this Court for a revised scheduling and case management order.

As grounds for this motion, the Parties state that the Court has now set the trial date for July 5, 2011. The initial scheduling order set certain discovery deadlines in conjunction with an earlier trial date of March 1, 2011. The Parties have included a proposed amended schedule, contemplating a July 5 trial date, as Exhibit A hereto.

WHEREFORE, for the foregoing reasons, the Parties respectfully request that the Court enter the enclosed Amended Scheduling Order.

Respectfully submitted:

**WOMBLE CARLYLE SANDRIDGE & RICE,
PLLC**

DATED: October 22, 2010

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the **JOINT MOTION TO AMEND SCHEDULING ORDER AND PROPOSED ORDER** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants: Daniel Alan M. Ruley, aruley@belldavispitt.com, William K. Davis, wdavis@belldavispitt.com, Christopher G. Kelly, christopher.kelly@hklaw.com, Steven L. D'Alessandro, steven.dalessandro@hklaw.com, Robert J. Burns, robert.burns@hklaw.com, Joshua C. Krumholz, Joshua.krumholz@hklaw.com, Benjamin D. Enerson, Benjamin.enerson@hklaw.com and Jitendra Malik.

DATED: October 22, 2010

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